

ARTICLE X

PUBLIC WAYS AND SIDEWALKS

Section 1001. Definition of Public Ways

The term “public ways” as used in this Charter shall include all streets, avenues, roads, highways, public thoroughfares, lanes and alleys.

Section 1002. Control of Public Ways

The Town shall have control of all public ways in the Town except such as may be under the jurisdiction of the Maryland State Highway Administration. Subject to the laws of the State of Maryland and this Charter, the Town generally may do whatever it deems necessary to establish, operate, maintain or close the public ways of the Town.

Section 1003. Public Ways; Powers

The Town may:

- (a) establish, regulate, and change from time to time the grade lines, width, and construction materials of any Town public way or part thereof, bridges, curbs, and gutters.
- (b) grade, lay out, construct, open, extend, and make new Town public ways.
- (c) grade, straighten, widen, alter, improve, or close any existing Town public way or part thereof.
- (d) pave, or resurface any Town public way or part thereof.
- (e) install, construct, reconstruct, repair, and maintain curbs and/or gutters along any Town public way or part thereof.
- (f) construct, reconstruct, maintain, and repair bridges.
- (g) name Town public ways.
- (h) have surveys, plans, specifications, and estimates made for any of the above activities or projects or parts thereof.
- (i) abandon public ways.

Section 1004. Sidewalks; Powers

The Town shall have the power to:

- (a) Establish, regulate, and change from time to time the grade lines, width, and construction materials of any sidewalk or part thereof on Town property along any public way or part thereof.
- (b) Grade, lay out, construct, reconstruct, pave, repair, extend, or otherwise alter sidewalks on Town property along any public way or part thereof and assess the costs as follows: up to two-thirds (2/3) thereof against the abutting property owner and the balance thereof against all the assessable property within the corporate limits. The proportion of the assessment against the abutting property owner or owners shall conform as nearly as possible to the proportion of benefit derived on a front foot basis. The cost so assessed shall be a lien on the property and shall be collectible in the same manner as are Town taxes or by suit at law. The Town may provide by ordinance for a deferred payment plan (not to exceed ten (10) years) for the payment of such expenses.
- (c) In the case of the erection of a new dwelling or commercial facility, require and order the owner of any property abutting on a public way to perform any work authorized by this Section solely at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order in a reasonable time the Town may perform the work and the expense for such shall be collectible as provided in subsection (b).

Section 1005. Storm Water Management Facilities Powers

The Town shall have the power to:

- (a) Plan, design, construct, acquire, repair, reconstruct, operate, and maintain within and without the Town facilities for the handling of storm waters and other surface waters.
- (b) Regulate the construction, repair, reconstruction, operation and maintenance by others of such facilities.
- (c) Have surveys, plans, specifications, and estimates made for any of the above activities or projects or parts thereof.

- (d) Do all things it deems necessary for the efficient operation and maintenance of the above systems.
- (e) In the case of new construction, require the owner of any property abutting on any public way in the Town which generates stormwater run-off to perform any projects authorized by this Section at the owner's expense according to reasonable plans and specifications. If, after due notice, the owner fails to comply with the order within a reasonable time, the Town may do the work, and the expense shall be a lien on the property and shall be collectible in the same manner as are Town taxes or by suit at law.